

REMARKS

Favorable reconsideration of the this application is respectfully requested in light of the following remarks, wherein Claims 10 and 20 have been amended. Currently, Claims 10-22 are pending in the application.

Claims 10, 12, 13, 16, 17 and 20 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 4,887,945 to *Pano* ('945). Claims 11 and 14 stand rejected under 35 USC §103(a) as being unpatentable over *Pano*. Claim 15 stands rejected under 35 USC §103(a) as being unpatentable *Pano* ('945) in view of U.S. Patent No. 5,112,164 to *Pano* ('164). Claims 18 and 19 have been indicated as including allowable subject matter and Claims 21 and 22 have been allowed.

As an initial matter, Applicants express gratitude to Examiner Fridie for the courtesies extended to Applicants' attorney during the recent interview. During the interview, amendments to independent Claims 10 and 20 were discussed that would define over the *Pano* ('945) reference. In particular, the Examiner indicated that the claims appeared to be allowable over the *Pano* ('945) reference if certain recitations defining the longitudinal axis of the clamping screw and the nut roll were added to these claims. Consistent with that understanding, independent Claims 10 and 20 have been added to include the feature that "the nut roll having a radial axis and a longitudinal axis" and that "the longitudinal axis of the clamping screw extends from a head of the clamping screw to a lower portion of the clamping screw". Accordingly, it is submitted that Claims 10 and 20 are allowable over the art of record.

In contrast, *Pano* ('945) describes a tool holder which includes an insert receiving pocket formed by a pair of clamping jaws. With reference to Figure 1, an open ended insert receiving pocket 6 is defined between upper and lower substantially parallel clamping surfaces 7 and 8 in a curved rear end surface 9. An elongated slot 12 opens into the

longitudinal edge 2 of the holder blade 1, and is formed at its inner end with a circular, widened portion 14 and a circular widened portion 15. As shown in Figures 7 and 8, a tightening screw 25 is inserted into the widened portion 15 of the elongated slot 12 into a clamping element 21 which acts to clamp the insert 27. The clamping element 21 and the tightening screw 25 are oriented parallel to one another.

In contrast, the tool head, as defined in independent Claim 10, includes a clamping screw having a longitudinal axis (extending from the screw head to a lower portion of the clamping screw) which is oriented perpendicularly to a longitudinal axis of the nut roll. This allows the clamping screw to secure the insert more easily than the clamping screw and tool head of *Pano* ('945). For example, in *Pano* ('945), the clamping screw is inserted from a side location, thereby forcing the user to come to a side location to ensure that clamping is accomplished. In contrast, the clamping screw of the present invention is oriented in such a manner that a user can readily clamp the insert from a top location, without requiring the user to come to a side location. As such, the clamping screw allows the insert to be clamped at a more accessible location. *Pano* ('945) does not disclose or recognize these patentable features. Accordingly, independent Claim 10 is patentable over the *Pano* ('945) reference.

Likewise, independent Claim 20 is directed to a metal machining tool which includes a tool head. Similar to the claim of independent Claim 10, Claim 20 has been amended to recite that a longitudinal axis of the clamping screw is oriented perpendicularly to a longitudinal axis of the nut roll. Accordingly, for the same reasons described in connection with independent Claim 10, Claim 20 is also believed to be allowable over the art of record.

For at least the foregoing reasons, it is submitted that the tool head and metal machining tool of independent Claims 10, 20, and 21, and the claims depending therefrom, are patentably distinguishable over the applied document. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that she be contacted at the telephone number indicated below.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,
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